TOWN OF NEW WINDSOR

ZONING BOARD

April 11, 2011

MEMBERS PRESENT: MICHAEL KANE, CHAIRMAN

FRANCIS BEDETTI HENRY SCHEIBLE RICHARD HAMEL

ALSO PRESENT: ANDREW KRIEGER, ESQ.

ZONING BOARD ATTORNEY

NICOLE JULIAN

ZONING BOARD SECRETARY

ABSENT: PATRICK TORPEY

REGULAR MEETING:

MR. KANE: I'd like to call the Town of New Windsor Zoning Board of Appeals April 11, 2011 regular session to order.

APPROVAL OF MINUTES DATED MARCH 14 AND MARCH 28, 2011

MR. KANE: Motion to accept the minutes of March 14 and 28 as written?

MR. BEDETTI: So moved.

MR. SCHEIBLE: Second it.

ROLL CALL

MR. SCHEIBLE AYE
MR. BEDETTI AYE
MR. HAMEL AYE
MR. KANE AYE

MR. KANE: Vincent Satriano, I'm going to just put you on hold until our lawyer gets here, okay, cause it's a public hearing so we're going to proceed with our preliminary meeting. In the Town of New Windsor we hold two meetings, a preliminary so we can get a

general idea of what you want to do and you have enough information to give us so we can make an informed decision. Some other towns do it on a one meeting plan and if you're not ready, don't have the right stuff, you lose. That's why we go through a two step process here. What happens here tonight will be very similar to what happens in our public hearing, all our decisions have to be made at a public hearing except at that point it will be open to whoever wants to comment on it.

PRELIMINARY MEETINGS:

EUGENE HECHT (11-06)

MR. KANE: So tonight's first preliminary meeting Eugene Hecht for existing wall sign exceeds the maximum length of 10 feet. The sign is 20 feet long. Variance is needed for 10 feet at 161 Windsor Highway in a C zone. Mr. Hecht, state your name, address, speak loud enough for this young lady over there to hear you.

MR. HECHT: Eugene Hecht, 161 Windsor Highway.

MR. KANE: Tell us exactly what you want to do.

MR. HECHT: We have an existing, it's letters, they call it a sign, it's letters and I guess they allow two feet high by 10 feet wide. This is 18 inches high 20 feet wide, building's set back 425 feet from the road, letters are on the building.

MR. KANE: That's a substantial amount off the road. Are the letters illuminated in any way?

MR. HECHT: No.

MR. KANE: How long has the sign been up there?

MR. HECHT: I was in the hospital when it was done, it was done in November.

MR. KANE: 2010?

MR. HECHT: Yes, 2010.

MR. KANE: Do we know what the allowable sign is, height is for that kind of a distance?

MR. HECHT: They told me, Frank told me it was two feet high and 10 feet, I'm 18 inches by 20.

MR. BEDETTI: If you are more than 300 feet from the road it goes to I think three feet.

MR. KANE: Goes to three feet in height, nothing in length.

MS. JULIAN: It's two and a half by ten and then--

MR. KANE: It goes to three by ten.

MS. JULIAN: Right.

MR. KANE: Further questions from the board at this time?

MR. BEDETTI: I have a question, this is a relatively new business back there, right?

MR. HECHT: Right.

MR. BEDETTI: And the sign has just been up since November?

MR. HECHT: I think it was.

MR. BEDETTI: End of last year?

MR. HECHT: No, beginning of this year, hang on.

MR. BEDETTI: It's a fairly recent installation?

MR. HECHT: Right.

MR. BEDETTI: Was this sign presented as part of the original plan to the planning board?

MR. HECHT: No.

MR. BEDETTI: So you just went ahead and put the sign up?

MR. HECHT: Well, I ordered the letters, I was in the hospital having surgery, I wasn't there, the guy came, he just put them up, it's only up about two months, it's got to be 2011.

MR. BEDETTI: It's a new installation?

MR. HECHT: Correct.

MR. BEDETTI: It's always, you know--

MR. SCHEIBLE: I don't like to see it setting precedent because the next guy's going to come along and want to do the same thing.

MR. KANE: Our opinion is every decision we make--

MR. SCHEIBLE: Setting a precedent and it's just going

beyond where it should lie, so somebody else is going to be able to come in, I know what you're saying but in my own mind I just don't want to see this happen anymore and I don't know if this is allowable cause you're doubling, almost doubling the size of the sign that's permitted, right or wrong?

MR. HECHT: In length, yes.

MR. BEDETTI: Probably would have been better off if you stacked the sign rather than just stretch it out.

MR. HECHT: I could have had him do that, still have him do that, I can still have him do it.

MR. KANE: Okay, that's something that you might want to be able to present at the public hearing.

MR. HECHT: Okay, I can stack it.

MR. KANE: Again, no decisions are going to be made now, this is discussion, so we're all prepared for the public hearing so nothing comes out of left field.

MS. JULIAN: Want the measurements?

MR. BEDETTI: The way you stack them could also violate the code as well.

MR. KANE: You're going to bring those numbers in so we know what those are.

MR. BEDETTI: You're given a little extra leeway from the road for how high, not length, you may want to try and get it closer to meet the code.

MR. KANE: If that violates the height code which it probably will at this point is that the public mailings will need to include both sets of stats per se depending on which way the board decides. If they decide to approve anything at all. Any other questions?

MR. HAMEL: What other signs are on the property now, any other signs?

MR. HAMEL: Yeah, but they have been approved, they are old signs, the property has been there since the '40s before that probably.

MR. KANE: Further questions? If not, I'll accept a motion.

MR. BEDETTI: I will make a motion that we schedule a public hearing for Eugene Hecht regarding a wall sign at 116 Windsor Highway in a C zone.

MR. SCHEIBLE: I'll second it.

ROLL CALL

MR. SCHEIBLE AYE
MR. BEDETTI AYE
MR. HAMEL AYE
MR. KANE AYE

MR. KANE: You're all set for a public hearing and those are the steps you'll need to follow.

MR. HECHT: Thank you.

MR. KANE: Have a good evening.

EILEEN SHARROW (11-08)

MR. KANE: Next Eileen Sharrow preliminary meeting for an interpretation for a proposed single-family house with an addition above existing garage which is connected to the main house will create two single family homes on one lot at 19 Lawrence Avenue in an R-4 zone. Hi, same thing you want to state your name and address, speak loud enough for the young lady over there to hear you, tell us exactly what you want to do.

MS. SHARROW: Eileen Sharrow, 19 Lawrence Avenue, New Windsor. I want to build on top of my garage, make a little apartment for my son.

MS. JULIAN: She was approved before and she never got a permit in time so it was expired.

MS. SHARROW: I'm just back doing the same thing again and I--

MR. KANE: So this was approved before?

MS. SHARROW: Yes.

MR. KANE: How long ago was the approval?

MS. SHARROW: Year and a half.

MS. JULIAN: Yes, June, 2009.

MR. KANE: Unfortunately, the law states you have exactly one year to start with that permit at that time.

MS. SHARROW: I didn't know that so now I have to go through the whole thing again.

MR. KANE: It's connected to the main home?

MS. SHARROW: No, it's not, it will have what I said last time it will have like a, it will have like a what do you call it.

MR. BEDETTI: Breezeway?

MS. SHARROW: Breezeway, yeah, that's the word and I even have the plans with me.

- MR. KANE: The breezeway will be enclosed?
- MS. SHARROW: Absolutely.
- MR. HAMEL: Is this the garage here you're talking about?
- MS. SHARROW: Yes, yes, it will go right there where that is, I can take it right off and just build, go up.
- MS. SHARROW: Silly question to ask but I have to go through this hole thing again?
- MR. KANE: Yes, ma'am, unfortunately.
- MS. SHARROW: It was my stupidity.
- MR. KANE: It's one year to move on it and what you can do is that if a situation occurs whether it's building a home and you run into a financial situation you can always come in ahead of time to ask for an extension ahead of time on something pre-approved and that's usually you don't have to go through the whole thing again.
- MR. SCHEIBLE: I'm just a little, wondering what's happening here, is this the garage that we're talking about right here?
- MS. SHARROW: No, that's not my house, that's my house but it's another view of my house, that's a side view.
- MR. BEDETTI: This is not your place?
- MS. SHARROW: No, that's not my house.
- MR. BEDETTI: Why is that picture there?
- MS. SHARROW: Side street, I took all kinds of pictures.
- MR. BEDETTI: This house is adjacent to yours?
- MS. SHARROW: Yeah, it's on the opposite side of my house.
- MS. JULIAN: You wanted other pictures of the neighborhood.
- MR. SCHEIBLE: We were wondering.

MR. KANE: The last page, the last picture will give you a good view.

MS. SHARROW: This attic will come off and will go straight up.

MR. SCHEIBLE: So the garage is not attached, it's a separation?

MS. SHARROW: Not attached maybe about this much room.

MR. KANE: But you're going to have an enclosed breezeway between the two?

MS. SHARROW: We're going to attach it and just go up.

MR. BEDETTI: Does the garage, is it back?

MS. SHARROW: Yes, it sits back a little.

MR. BEDETTI: The person that's going to live there is your son?

MS. SHARROW: Right there, yes.

MR. BEDETTI: It's not something you're going to be renting out?

MS. SHARROW: No, it's my son, it's him.

MR. BEDETTI: This is really one, all one family?

MS. SHARROW: Yes, yes.

MR. KANE: Any further questions? I will accept a motion to set up a public hearing.

MR. BEDETTI: I will make a motion that we schedule a public hearing for Eileen Sharrow at 19 Lawrence Avenue in an R-4 zone to create two single family homes on one lot on 19 Lawrence Avenue location, that's an interpretation.

MR. KANE: It's an interpretation that it is a single-family home and not two individual homes.

MR. BEDETTI: For this public hearing.

MR. KANE: As written on the notice.

MR. BEDETTI: For proposed single-family house with a existing garage connected to the main house with another attachment at 19 Lawrence Avenue in an R-4 zone.

MR. HAMEL: Second it.

ROLL CALL

| MR. | SCHEIBLE | AYE |
|-----|----------|-----|
| MR. | BEDETTI | AYE |
| MR. | HAMEL | AYE |
| MR. | KANE | AYE |

MS. SHARROW: Thank you.

EDWIN CARRILLO (11-09)

MR. KANE: Next preliminary meeting Edwin Carrillo variance for proposed six foot vinyl fence that will project between the house and the street, this is a corner lot located at 311 Burroughs Lane in an R-4 zone. Good evening, Mr. Carrillo, please state your name and address and speak loud enough for this young lady to hear you.

MR. CARRILLO: Edwin Carrillo, C-A-R-R-I-L-L-O, I live at 311 Burroughs Lane in New Windsor.

MR. KANE: Okay, you have to tell us exactly what you want to do.

MR. CARRILLO: I am requesting a variance to remove an existing four foot wooden fence and replace it with a six foot vinyl fence around my property, part of my property.

MR. KANE: Is the four foot wooden fence already pre-existing?

MR. CARRILLO: That's correct.

MR. KANE: All the way around?

MR. CARRILLO: All the way around.

MR. KANE: There was no permit issued beforehand?

MR. CARRILLO: Yes, there was for four foot, I want to replace it with a six foot vinyl fence.

MS. JULIAN: Since he's a corner lot, he has two front yards so that's why he's here.

MR. KANE: Because it's six foot rather than the four?

MS. JULIAN: Yes.

MR. KANE: The reason you're going to six foot?

MR. CARRILLO: The reason for that is I want to put the new vinyl fence which will enhance the beauty of my property and also the neighborhood plus provide me with privacy.

MR. KANE: Okay, will it also add a little bit of

security with the pool in your back yard?

MR. CARRILLO: Absolutely.

MR. KANE: Does the fence, pictures show it, the fence in no way inhibits the view of traffic coming down the road?

MR. CARRILLO: Absolutely not, that's why I show it on one of the pictures the stop sign you stay away from the stop sign, you will not see the fence from where the traffic will have to stop.

MR. KANE: And since you're replacing the existing fence that's existing the four foot you're not going to be cutting down any substantial vegetation or trees?

MR. CARRILLO: No.

MR. KANE: Creating water hazards or runoffs?

MR. CARRILLO: No.

MR. KANE: No easements going through the area?

MR. CARRILLO: None at all, just replacing what's there.

MR. SCHEIBLE: Is that going to encompass the entire piece?

MR. CARRILLO: No, just the part that's, I submitted in the diagrams which would be the part that's on the Keats and Burroughs Lane.

(Whereupon, Mr. Krieger entered the room.)

MS. JULIAN: He showed the stop sign to let you know it doesn't block any view.

MR. HAMEL: So it's going right back in the same place as the four foot?

MR. CARRILLO: Exactly.

MR. SCHEIBLE: When you say vinyl fence, is that going to be a picket vinyl fence or is this going to be a solid?

MR. CARRILLO: It's a solid vinyl fence, more modern

type of fence they use now you see around properties.

MR. KANE: Further questions from the board at this time?

MR. BEDETTI: I just have, does not project into where the front of your house is, does not project beyond the front?

MR. CARRILLO: No.

MR. BEDETTI: Just the fact that you're on a corner lot considered to have two front lots?

MR. CARRILLO: That's correct.

MR. KANE: I'll accept a motion.

MR. HAMEL: I will make a motion that we schedule a public hearing for Edwin Carrillo for the variance as requested.

MR. BEDETTI: I will second the motion.

ROLL CALL

MR. SCHEIBLE AYE
MR. BEDETTI AYE
MR. HAMEL AYE
MR. KANE AYE

MS. JULIAN: Here are your next steps.

MR. CARRILLO: Thank you all.

ANNA SANCHEZ (11-10)

MR. KANE: Anna Sanchez variance for proposed six foot vinyl fence will project between the house and the street. This is a corner lot located at 3102 Besty Ross Ridge in an R-3 zone.

MS. SANCHEZ: Anna Sanchez, 3102 Betsy Ross Ridge, New Windsor.

MR. KANE: State exactly what you want to do.

MS. SANCHEZ: Request a variance to install six foot vinyl fence.

MR. KANE: And the reason for this six foot fence?

MS. SANCHEZ: Privacy.

MR. KANE: No pools located in your back yard?

MS. SANCHEZ: No.

MR. KANE: It's going to be a brand new fence?

MS. SANCHEZ: Yes.

MR. KANE: Cutting down substantial trees and vegetation I can tell from the pictures but I have to ask?

MS. SANCHEZ: No.

MR. KANE: Create water hazards or runoffs in the building of the fence?

MS. SANCHEZ: No.

MR. KANE: Any easements going through the area where you propose to locate the fence?

MS. SANCHEZ: No.

MR. SCHEIBLE: I'm sorry to interrupt, that's in The Reserve?

MS. SANCHEZ: Yes.

MR. BEDETTI: Do any of your neighbors have a similar fence?

- MS. SANCHEZ: Yes.
- MR. BEDETTI: Neighbor immediately anywhere near?
- MS. SANCHEZ: Well, I don't have, my street is not even finished so I only have a fence next to me but the homes across the street and everywhere else have fences.
- MR. SCHEIBLE: This is also going to be six foot high?
- MS. SANCHEZ: Yes.
- MR. SCHEIBLE: I will ask the same question I asked previously, picket or solid?
- MS. SANCHEZ: I believe it's solid.
- MR. SCHEIBLE: You believe it's solid?
- MR. KANE: For the public hearing just make sure.
- MS. SANCHEZ: It's, the style is a Brighton style fencing.
- MR. KANE: Any gaps between the vinyl that you can see through?
- MS. SANCHEZ: No, and it won't be around the whole house, just be like an L-shaped section.
- MR. KANE: And since you're here for a corner piece of property that's also considered two front yards and the fence is going into the portion that's not where your front door is?
- MS. SANCHEZ: Right.
- MR. BEDETTI: This drawing seems to show, I'm assuming that this pink line is the six foot fence and this shows that it will be extending beyond the front of the house, is that correct?
- MS. SANCHEZ: No.
- MS. JULIAN: No, that's the back yard, that's the front, no, that's the driveway, the front is right over here.

MR. BEDETTI: Is this the front?

MS. JULIAN: Yes.

MR. BEDETTI: So it's not the same as where the drive is?

MS. SANCHEZ: No.

MR. BEDETTI: That's the back of the house and along one side?

MS. SANCHEZ: Right.

MR. KANE: The fence is going to be over in this area right in here?

MS. SANCHEZ: Yes, it won't go out over just right there.

MR. KANE: And that's right in this area?

MS. SANCHEZ: Yeah, it will be, start where the corner of the house right here a little bit out and then around, it won't--

MR. KANE: Grab one picture a little bit further down the street showing the view from the road coming up into that corner a little further down the street.

MS. SANCHEZ: Okay.

MR. KANE: Thank you.

MR. SCHEIBLE: Are there any other neighbors in the area that are doing the same thing like yours?

MS. SANCHEZ: They have already actually a corner house also it has a six foot fence.

MR. KANE: Further questions from the board? No further questions, I'll accept a motion to set up a public hearing.

MR. BEDETTI: I will make a motion we schedule a public hearing for Anna Sanchez for proposed six foot vinyl fence at 3102 Betsy Ross Ridge in an R-3 zone.

MR. HAMEL: Second it.

ROLL CALL

| MR. | SCHEIBLE | AYE |
|-----|----------|-----|
| MR. | BEDETTI | AYE |
| MR. | HAMEL | AYE |
| MR. | KANE | AYE |

MS. JULIAN: Here's your next steps. Okay, any questions? Just call me in the morning.

MS. SANCHEZ: Thank you.

MR. KANE: Have a good evening.

BANTA REALTY - RICHARD FISHER (11-11)

MR. KANE: Might as well do the last preliminary, Banta Realty, Richard Fisher two sign variances are requested. One is a freestanding sign which exceeds the permitted see 4 square feet of total face of the sign. Existing sign 7'6" x 6' (90 square feet) requires a 26 square foot variance for total face. The existing facade sign is 2' x 18' this sign requires an 8' variance for the width located at 935 Union Avenue in a C zone.

MR. FISHER: I'm Richard Fisher, 842 Main Street, Monsey.

MR. KANE: Tell us exactly what you want to do.

MR. FISHER: I'm requesting two variances for existing signs from one freestanding, one facade, one wall mounted, been in existence for 35 years, we're in the process of leasing out to a new tenant who will be operating it as Steak and Stein. The expense to him to replace the signs would be significant so we're looking to request a variance.

MR. KANE: The sign's been up approximately how long?

MR. FISHER: Thirty-five years.

MR. KANE: Twenty-one that I know of. I have only lived up here 21 years, that's why. Sign illuminated in any way?

MR. FISHER: There's ground mounted lights on both the freestanding and the facade mounted.

MR. KANE: Non-flashing?

MR. FISHER: Non-flashing, more landscaping lights than anything else.

MR. SCHEIBLE: Just to catch up here, you're replacing the present sign or continue the present sign?

MR. FISHER: Continue the present sign.

MR. BEDETTI: So not changing?

MR. FISHER: Nothing's changing at all, they are non-conforming currently.

MR. KANE: Just bringing them in compliance so that they are, they haven't been there, there's been no changes so there hasn't been anything that's usually when we see them for older signs when something changes and the building department gets out there. Further questions from the board at this time?

MR. KRIEGER: What's the distance from the road to the building?

MR. FISHER: From the road to the building, you know, I will have to check that out.

MR. KANE: For the public hearing, if you would.

MR. FISHER: I will check that cause I'm not certain of that, okay.

MR. KANE: He's definitely not 300 feet back but just so we have the numbers for the record.

MR. BEDETTI: That's not going to change in any way.

MR. KANE: No, again, he needs the length, not the height so it's the same situation. Further questions from the board? I'll accept a motion.

MR. HAMEL: I will make a motion that we schedule a public hearing for Banta Realty for the variances requested for existing signs.

MR. BEDETTI: I will second the motion.

ROLL CALL

MR. SCHEIBLE AYE
MR. BEDETTI AYE
MR. HAMEL AYE
MR. KANE AYE

VINCENT SATRIANO (11-04) - CONTINUATION

MR. KANE: Okay, Vincent Satriano, this was tabled from March 28 I believe I need a motion to take it off the table and bring it back under consideration.

MR. SCHEIBLE: Motion made.

MR. BEDETTI: I'll second it.

ROLL CALL

MR. SCHEIBLE AYE
MR. BEDETTI AYE
MR. HAMEL AYE
MR. KANE AYE

MR. KANE: Okay, at the end of last weeks meeting we had offered you the choice of having us vote at that time because we didn't have a full board, we still don't this evening, we're one shy.

MR. KRIEGER: One more but one shy.

MR. KANE: So the offer still is extended to you on how you want to approach it. We just usually do that with as I said last time with somebody so I have to ask that right up front, you know, not try to delay you but I can't guarantee when everybody's here, we do normally have everybody.

MR. SATRIANO: How many do we have?

MR. KRIEGER: You need three out of four.

MR. KANE: You need three yes votes no matter how many people are here. Again, it's up to you guys, we afford the courtesy of doing that, we have always done it, some boards don't but we don't want everybody to be roped into a situation where they felt it wasn't fair.

MR. BEDETTI: Last time we only had three so it had to be unanimous.

MR. KANE: Last week three if one guy voted against you-- $\,$

MR. SATRIANO: I need three out of four as opposed to three out of five?

MR. KANE: Really the public portion of the meeting is closed, it's just, if there's any other information that you might want to present at the time which I don't think or if anybody came up with any other questions they may want to ask you before we make a decision which we can still do just in case but--

MR. SATRIANO: Can I ask a question? I'm not overly familiar with the process but in the event that I didn't get a favorable vote?

MR. KANE: Six months.

MR. SATRIANO: It takes six months to do it again?

MR. KRIEGER: You'd be eligible to reapply in six months without changing anything.

MR. KANE: Without changing anything.

MR. KRIEGER: If you change the request, you may be entitled to apply before six months but--

MR. KANE: If you came up with some kind of circumstances that changed what the application was.

MR. SATRIANO: Probably be the same situation.

MR. KRIEGER: Or that you could not have presented now or if you changed the application to ask for less on one of the variances then you would be able to do it less than six months, if you went with the same thing exactly what you have now it would be six months.

MR. SATRIANO: So I wasn't even thinking of that but thank you. My question is like suppose I got turned down for the variance, I mean, what would I do with this lot? I mean, it's a, it would deem it, make the lot useless, essentially, I couldn't put a house or this is my, the lot that I want to put a house on if I didn't get a variance and got turned down I guess I can reapply in six months but what would my alternatives be to do with the lot? It would devalue it to nothing.

MR. KANE: Some of the things and not an example not the way I feel about anything or anything but maybe a more defined view of what kind of building you're putting on there, if that was a question or a smaller one, you know, I can't really say, it's a hard question.

MR. SATRIANO: Can we hear the question before we decide on— $\!\!\!\!$

MR. KANE: If anybody has any further questions?

MR. SATRIANO: I brought my builder so we're prepared, so you have a better idea.

MR. KANE: What's before us if you're not up on it basically to build on the lot and he needs a square footage variance but what's not before us is the size of the house so it is not something that we can vote on per se. We can add some stipulations so that as we spoke of before to keep the size of the house within what we think is a realm of reality for that particular neighborhood, hence maybe 2,000 square feet instead of 3,000 square feet something along those lines. But that's a few of the things we were looking at so some of the stuff is in our jurisdiction, some are not, some would be totally at the planning board stage.

MR. SATRIANO: Can I field any questions?

MR. KRIEGER: There is no planning board stage, it's a single family house, there's no subdivision.

MR. BEDETTI: If I recall and I'm getting little bit older now if I recall I think there were two conditions that we said, one had to do with square footage of the house total square footage and the other one was that he would not build any closer to the road than other homes.

MR. KANE: That's correct.

MR. BEDETTI: The only two that I recall.

MR. SATRIANO: Yeah, well, my understanding was similar but it was not necessarily that the size of the house, footage of the house was necessarily a condition being requested to put in, it was just that it wouldn't be any closer to the road and the meeting not taking the vote from last time give me a chance to go talk to the builder, get a sense of what kind of house.

MR. KANE: I was definitely looking at limiting the size of the square footage of the home.

MR. SATRIANO: That's fine.

MR. KANE: And the 2,000 was a debatable point between us that that was a for instance cause we originally thought we had heard something maybe in the 3,000 square foot range I'm going back in my memory a normal bi-level is let's say Butterhill to my knowledge are in the 17, 18 to 2,000 square foot area, nice size homes so there's my thought where 2,000 came up and I'm not a builder but looking at decent size home that will actually fit that lot, not be oversized for Ducktown but keep it in that neighborhood area and the lot is double the size of every other lot that's around you.

MR. SATRIANO: Just for the sake of whoever may not have been here I don't think, sir, you were here at the last meeting but the lots, speaking about the lot size the lot is 100 by 100, the house next door is on a 75 by 100 immediately next door so it's actually a smaller lot and the actual footage of the house is 3,000 square feet so the house immediately next door is on a smaller lot and it's 3,000 square feet so not that I want to build a 3,000 square foot lot but just to give an idea.

MR. SCHEIBLE: How old is the house?

MR. SATRIANO: Original house probably '30s, '40s would be a quess.

MR. SCHEIBLE: That explains it.

MR. SATRIANO: I don't want to put up a 3,000 square foot house, just to show you what the view is from one house to the other, there's a much larger house on a much smaller lot.

MR. KANE: Extremely strange neighborhood to say the least.

MR. BEDETTI: Remind me again which is your house?

MR. SATRIANO: This is the house that's on a smaller lot.

MR. BEDETTI: Is this your house?

MR. SATRIANO: Yes, that's my house.

MR. BEDETTI: I recall, that's all.

MR. SATRIANO: This lot obviously is significantly

larger than every lot including this one in the neighborhood.

- MR. BEDETTI: I was there, I went and looked.
- MR. SATRIANO: It's a nice corner lot.
- MR. BEDETTI: The business about not building any closer to the road I wouldn't take this house as being the measure, I think the rest of them going down the street.
- MR. SATRIANO: You couldn't get any closer than they are right on the road, that's why I was like hey, no problem, you'd probably rather me set it back.
- MR. BEDETTI: There was a gentleman here in the public hearing that said he lived apparently behind it, I'm not sure which of the two houses and he had water in his cellar.
- MR. SATRIANO: You know, this is a pretty new house right here actually and we just went through multiple feet of snow and melt, there's not, the ground isn't even spongy, I'm not an engineer.
- MR. BEDETTI: I will say your property sits up higher so I mean even without your house being there if he's getting water in his cellar I can certainly see based on the contour of the land.
- MR. SATRIANO: He'd be getting it regardless because the road runs down to his house.
- MR. KANE: Usually if we see any kind of flooding or drainage things like that we see a number of people come out so not to belittle the gentleman's statement at all but one out of 90 mailings I believe it was 90 mailings on that?
- MS. JULIAN: It was 90, yes, it was.
- MR. KANE: If there was an issue coming off a very hard winter a lot of flooding, I mean, I just had my roof replaced, it was a rough year, so I don't think that's a precedent from that neighborhood personally.
- MR. BEDETTI: When you do your construction and building just be cognizant of the fact that there's people behind that you don't funnel any water down

anymore than the contour of the land that's already there.

MR. SATRIANO: I don't, I don't, I don't think it would improve the control of any runoff but that's—any other questions?

MR. SCHEIBLE: So we have to look what we're looking at because it's a corner lot so you have to look at frontage from both sides.

MR. KANE: Correct, and moving back creates a rear yard issue so he's here no matter what

MR. SCHEIBLE: Move him into the corner but we, trust me, whatever is all according to Hoyle and everything looks fine I would have no problem seeing a nice house being put in in that location

MR. SATRIANO: It's a nice spot, that's why I bought it.

MR. BEDETTI: I went and looked at it, certainly seems to be adequate size.

MR. SCHEIBLE: I know the location very well.

MR. BEDETTI: I think a large McMansion would be out of place.

MR. KANE: Absolutely.

MR. SATRIANO: No, it's not in the budget or the plans.

MR. KANE: So your choice.

MR. SATRIANO: Let's take a vote and if I gotta come back in six months, I'll come back. I bought the house to build my house on and I will try it twice.

MR. KANE: Gentlemen, I'll accept a motion with the, are we all agreed on my portion which is to keep it no bigger than 2,000 square feet?

MR. BEDETTI: I think.

MR. SATRIANO: May I ask a question? Is that something that we can discuss?

MR. KANE: Go ahead.

MR. SATRIANO: I have a set of plans that can be up to 2,400, I didn't, there's two house designs, I didn't decide yet because I didn't want to make a commitment. I probably will end up building something along those lines but if it ends up needing 2,200.

MR. KANE: I would have to say that I would be against anything over two, only knowing what I see with other homes that are out there.

MR. MARSENECK: That lot is sloping, common today to build.

MR. KANE: Your name?

MR. MARSENECK: David Marseneck, Post Office Box 32, Montgomery, New York and I'm going to discuss the size and dimensions of the house. I have built numerous houses that are economical that are 2,400 square feet where the dimensions are actually 40 by 30 on top and even the bottoms can be 40 by 28 on the bottom and that's actually a smaller length in size than a typical bi-level, typical bi-level will run 48 to 50 feet so as you look at it from the front it will not appear longer than say a bi-level that you had mentioned that you are familiar with. So a certain plan of 2,400 square feet could actually assume a footprint that's going to be very similar to a bi-level that's like a colonial without a garage, that's something like that.

MR. KANE: You looked at two plans.

MR. SATRIANO: The other one was a design, it's a custom design that Mr. Marseneck has developed, it's a ranch but I kind of liked the bi-level so I was hoping to get a sense where we're going to go with size, given if I was limited kind of have to default back to whatever, I don't know how many other choices.

MR. MARSENECK: Again, sometimes on a bi-level if they usually have a two car garage sometimes you can take a single car garage off and go ahead and put another room in place of a garage that would take again the typical bi-level that you had mentioned it would push it to the 2,300 square foot range without making a bigger house. So going up to a large here possibility within a reasonable footprint would not be out of character for a simple bi-level.

- MR. BEDETTI: Just wanted to comment it's not just a matter of quote a simple bi-level, it's going to be the appearance of a house in a particular neighborhood, all right, and other than that one house that's sort of across the street that sits up quite a ways that's the other consideration is does it fit in the neighborhood.
- MR. MARSENECK: Well, I think you would take any design that you want to build and you would want it to fit into the neighborhood, certainly you would.
- MR. SCHEIBLE: Doesn't always happen.
- MR. MARSENECK: Unfortunately you're right but you do want it to appear nice. Obviously people's tastes can change or they are not great to some other people.
- MR. KANE: True, the footprint of the home that we're speaking of with the 2,400 square feet, what's the footprint on that?
- MR. MARSENECK: The one I was mentioning would be a 40 foot footprint if it was a colonial style two story colonial style home that's what I was first describing and then I went into the second description of a bi-level, bi-levels will run, can run 48 to 50 feet and that you would take out say one of the car garages to put a fourth bedroom in the home and that would push that bi-level to probably 2,300 square feet, give or take on the actual size of the bi-level.
- MR. KANE: Because the numbers that we're basing on for your front yard and then keeping the sides and the rear leaves a 30 by 50 area. So my fear is that once that's approved you have a 30 by 50 you could put legally cause it goes with the property you could put a 30 by 50 footprint in there.
- MR. SATRIANO: Yeah, but that would look odd if we restricted the size of the square footage, it would be a giant flat--
- MR. KRIEGER: Or restrict the footprint.
- MR. SATRIANO: This, if that makes you more comfortable.
- MR. KANE: Actually to me the footprint two stories is as high as you're getting so the footprint makes more sense than the square footage, it leaves it to be more

adaptable to the builder to as far as a design goes.

MR. MARSENECK: I would say if we're speaking of a bi-level then I would think you would want a minimum length of or a maximum length in this case to be 50 feet because that can be a very typical bi-level.

MR. KANE: Yeah, 50 is what's existing right now.

MR. MARSENECK: So I would try to keep it within that, within the 50 feet I would say that would be the maximum length.

MR. BEDETTI: What are they, 40 by 50 typically?

MR. MARSENECK: A bi-level can run on the bottom 28 to 50 say on a medium sized smaller size bi-level, sometimes they stretch them very far but for an average bi-level I would say 50 feet would be what you would need to have.

MR. BEDETTI: That's for both width and length?

MR. MARSENECK: That's the length, the bottom would run 28 feet, I think with the size of 30 by 50 you could that you could work within those distances length and width.

MR. HAMEL: What's the size of the lot?

MR. KANE: It's 100 by 100.

MR. SCHEIBLE: What's the dimensions of the lot that you're on right now the house you live next to it?

MR. SATRIANO: It's 75 by 100.

MR. SCHEIBLE: Now that's also large for that neighborhood, am I correct or not?

MR. SATRIANO: Yeah, it is but there is a couple of newer homes that are comparable but I don't think they are quite that large because it appears that at some point somebody converted part of this house many years ago from a garage to some living space but it is large but it's probably there's two or three houses within a block or two that are similar.

MR. BEDETTI: The original schematic is 30 by 50 the proposed two story house?

MR. SATRIANO: Right, but I think it says 3,000 square feet and the original surveyor that worked on this lot before I had it put that in there, I don't really need 3,000 so that's why I was happy to adjust that.

MR. SCHEIBLE: That would be overwhelming no doubt about that.

MR. SATRIANO: Right.

MR. KANE: Can we keep the footprint to a 28 by 50?

MR. MARSENECK: The actual foundation footprint I would say yes, you could do something with that.

MR. KANE: Keep it as 2,400 square feet.

MR. MARSENECK: It would be, honestly, it would be better to be able to go to the 30 on the bottom just for a suggestion, I think that within a 30 by 50, 2,400 square feet I think that would be a good thing to have.

MR. KANE: The back yard's the same, okay, I don't have a problem amending it to 2,400.

MR. SCHEIBLE: Maximum.

MR. HAMEL: You've got 25 feet on both sides, 50 in the back and another 25 in the front?

MR. KANE: Twenty-four hundred maximum.

MR. HAMEL: My house is 28 by 48 and I'm, I'm on 150, 100 across 150 in the front and 100 deep and it's, I think it's fine.

MR. SATRIANO: How many square feet is that plan you just described?

MR. HAMEL: I think it comes out to like 26 something, I have a one car garage too, I have five bedrooms, two down and three up plus a large family room downstairs.

MR. KANE: Any further questions? I'll accept a motion limiting the square feet to 2,400 square feet for the home.

MR. KRIEGER: Are you also limiting the footprint?

MR. KANE: Limiting the front to not extend closer to the road than other homes on that particular road.

MR. BEDETTI: Thirty by 50 footprint.

MR. KANE: Thirty by 50, he has to have, that's not going to extend out so--

MR. KRIEGER: Actually, three conditions.

MR. KANE: Right, so 30 by 50, 2,400, not to extend closer to the road than other homes that are on that road facing that road.

MR. BEDETTI: I will make a motion that we grant a variance to Vincent Satriano for a vacant lot with a single family dwelling which would have a footprint not to exceed 30 by 50, 2,400 square foot house and not be any closer to the road than either road by as measured against other neighbors along the road, not necessarily your house cause your house sits way back at--

MR. SATRIANO: Nine Goodman.

MR. BEDETTI: Nine Goodman Avenue in an R-4 zone.

MR. HAMEL: Yes, I'll second it.

ROLL CALL

MR. SCHEIBLE AYE
MR. BEDETTI AYE
MR. HAMEL AYE
MR. KANE AYE

MR. SATRIANO: Thank you.

MS. JULIAN: Your next steps.

MR. SATRIANO: Very relieved. Just so I'm understanding the process.

MR. KANE: You have one year to start construction to get a permit and start construction. If you do not you can apply for an extension on the variance.

MR. SATRIANO: That variance expires in a year?

MR. KANE: That's correct.

MR. KRIEGER: You can apply for an extension provided it's inside that year, if it's outside the year, it's all new.

MR. SATRIANO: How long would an extension--

MR. KRIEGER: It has to be a year, year by year.

MR. SATRIANO: So within the year I can apply for an extension that can give me another full year?

MR. KRIEGER: Correct.

MR. KANE: That's correct.

PUBLIC HEARINGS:

MEDICINE CHEST PHARMACY (11-03)

MR. KANE: Next public hearing Medicine Chest Pharmacy a variance is requested for an existing pole sign which exceeds maximum height of 15 feet, also exceeds maximum total face area of 64 square feet and a variance of three feet six inches, you're listed at three feet on your thing, it's actually three feet six inches in height and 54 square feet, your notice says 51 in total face area is requested at 408 Blooming Grove Turnpike in an NC zone. The mailings that went out had the correct measurements in them. Okay, same deal, name, address, tell us exactly what you want to do.

MR. KLEIN: Lewis Klein, 1029 Rolling Ridge, New Windsor, New York. We essentially don't want do anything just--

MR. KRIEGER: Are you from Medicine Chest?

MR. KLEIN: Yes, I am.

MR. KRIEGER: It's a corporation, you're an officer?

MR. KLEIN: Correct.

MR. KRIEGER: And you're authorized by the corporation to represent it?

MR. KLEIN: Absolutely, so what we're looking to do we recently purchased the property and we're looking to, we found out that it wasn't in an appropriate zone or didn't have the proper permits, initially we didn't know that prior to purchasing the property. purchased the property and we want to get everything to code so we applied for the variance to bring everything up to code. As far as I know, the sign's been in existence, boy, we date it back for about 27 years, the only thing that's changed was one replacing of the facing of one of the signs up there, not the casing, just the facing was I guess damaged and replaced but the actual sign we dated back for about 27 years. That's it, so we're not really changing anything, it's going to stay as existing, just try to bring it to code.

MR. KANE: The sign's illuminated?

MR. KLEIN: Yes.

MR. KANE: Flashing illumination or steady?

MR. KLEIN: Steady.

MR. KRIEGER: Internally?

MR. KLEIN: Correct.

MR. KANE: To your knowledge, has there been any complaints about these signs formally or informally over the years?

MR. KLEIN: To my knowledge, there's been no complaints.

MR. SCHEIBLE: I go by the sign every day on the way to the post office. To me, it's like a duplicative, big tall sign says pharmacy, then you have pharmacy on the other sign, then prescription on another sign there, naturally prescription is right along with the pharmacy I would imagine, I don't think you're going to get a prescription.

MR. KLEIN: What does it say?

MR. SCHEIBLE: When you look here, you have pharmacy here, we have pharmacy down here, to me, it's an overkill this whole sign.

MR. KLEIN: This is actually prescription, if you read it just like that it would seem unnecessary but it's referring to the pickup and delivery of the prescriptions but I understand your point absolutely but that's what that is referring to.

MR. SCHEIBLE: I have lived, I'm not new, I may be new on this board but I have lived in this town for over 65 years and I have seen a lot of things I don't like and this is one of the things I don't like, I will be very right up front. I'm not going to hide behind anybody here. Just looks like something's wrong in the neighborhood there, there's too much signage, duplications there, if there's a way we can consolidate into a nice, proper sign where you can say yes, prescription pharmacy and your telephone number, much more than that, I don't know, I don't know what's really necessary there. That's my own opinion.

MR. KLEIN: Well, I mean, understandable just right now to change the sign is a great expense so I'm, we're not looking to add it and if I had to do it it would be nice to have a nice sign, make it look brand new, it would be great but unfortunately, I'm dealing with an existing situation.

MR. KANE: And you're a individual pharmacy, not part of any--

MR. KLEIN: Correct, chain.

MR. KANE: So sole proprietor?

MR. KLEIN: Yes.

MR. BEDETTI: There's another businesses there and is the business still there?

MR. KLEIN: No, and we just and you can, I don't know if you can see it from that picture but there's some lettering on the building which we're going to take down.

MR. BEDETTI: But that business is no longer there?

MR. KLEIN: No.

MR. BEDETTI: Is that an apartment?

MR. KLEIN: That's like an office space, like an insurance office, we just use it for office space, we're not intending on renting that, we're just using it for storage.

MR. BEDETTI: That wasn't my question relative to renting it, I mean, is that a functioning business down there right now? Is there an insurance agency there now?

MR. KLEIN: No.

MR. BEDETTI: Because apparently there was, I see the lettering there so if there's any intention of that being another business where are they going to put their sign? They have to install their sign on pedestals.

MR. KLEIN: There's no intention of that ever being rented out as another business if we decided to do such

we would expect to, we have to give up some of our sign that would be absolutely--

MR. BEDETTI: No, now you're going right where I was headed.

MR. KLEIN: We just purchased the building and we want to take the lettering off, we're using it for office space.

MR. BEDETTI: So there isn't another business?

MR. KLEIN: No, and there is no intention to have another business currently. Could that change in the future? I guess. But I wouldn't expect or want additional signage for them. We would have to share the existing signage and so that's not an issue.

MR. KANE: Just to get this out of the way at this point I'm going to open it up to the public, ask if there's anybody here for this particular hearing? Seeing as there's not, we'll close the public portion of the meeting and ask Nicole how many mailings we had?

MS. JULIAN: On the 29th day of March, 2011, I mailed out 51 addressed envelopes with no written response.

MR. KANE: We just got that out of the way, back to the board for further questions.

MR. HAMEL: I have a question, maybe it's not even our responsibility but what I'd like to see is I'm looking at these poles, one looks rusted, the other looks like it's a regular galvanized pipe. I would think if they were painted and cleaned up a little bit it would certainly look a little bit nicer.

MR. KLEIN: I definitely agree and that's something we want to do, again, we just purchased the property, there's a few things on the property we want to clean up.

MR. HAMEL: I just think it would look a little bit nicer.

MR. KLEIN: Absolutely.

MR. HAMEL: That's my comment about it.

MR. KANE: Lewis, would you have a problem if a motion

to approve this was made having any kind of stipulation that within X amount of time you get those two poles painted so that the signs look a little bit more uniform?

MR. KLEIN: I would have no problem with that as long as I have enough time to accomplish what you want.

MR. KANE: Yes, it's financially tough out there, I understand.

MR. KLEIN: We want to upgrade the property, there's no question about it, like I said, we just purchased it in March 7 when we closed on the property we want to upgrade the property, we want to, we started that process by removing the underground oil tank which was a whole process.

MR. KANE: That's a huge process and you're running a very good business.

MR. KLEIN: We want to upgrade, there's no question about it.

MR. SCHEIBLE: There's four signs on this pole?

MR. KLEIN: That sounds about right, again, I didn't design the sign, it was there but you're right, there's four signs.

MR. BEDETTI: The question I was asking it looked like the pharmacy sign is a stand alone sign, it's not a part of any of the other three signs.

MR. KLEIN: I think all of them are individual cases, correct?

MR. SCHEIBLE: You're there how long at this location?

MR. KLEIN: Me, two years.

MR. SCHEIBLE: Were all these signs there at the time that you moved into this location?

MR. KLEIN: Yes.

MR. SCHEIBLE: They were all there and present?

MR. KLEIN: Yes.

MR. BEDETTI: He just changed the face of this one.

MR. KLEIN: There's a facing change but the housing that holds dimension wise identical.

MR. KANE: I can vouch that those signs have not changed, my wife uses that pharmacy.

MR. KLEIN: Identical.

MR. SCHEIBLE: Do we have to have pharmacy two times? Do we have to have that big tall sign that looks like 42nd Street? You have Medicine Chest Pharmacy already on one of the signs in the middle there now then you have that big tall one.

MR. KLEIN: I think that tall one I don't know how much you drive it but especially if you drive from the one area that's really typically what you do see, it is a tough spot to see, I mean, when you drive if you're driving from towards the post office you're on 94 staying before us heading towards the post office you don't see it, it's set back and I guess that's initially why that it was done in that fashion.

MR. SCHEIBLE: When you drive by you'd think there's three or four businesses in the same building looking at this.

Yeah, I mean, I can, my own personal thought MR. KANE: on this is I can understand if we had a new business going in with new signs, yeah, I'd want him to go with all the standards but for a sign that's there 27 years and when you have a small business trying to make a go at it, signs are very expensive nowadays to get in and I think it puts more of a financial hardship on the current owner forcing any kind of change in there. While I do agree that it's kind of a mish-mash of stuff it's been there for years and years and years, what it might be possible point I'm getting at what might be possible, Andy, tell me if I'm wrong, we can make any variance on those signs stick to the existing sign but if any new signage goes up, a new pole sign if it comes down in an accident or wind storm that any new sign would have to, would lose the variance. Can we do it to the life of the existing signs as is? You follow where I'm going with this? So something happens to it or it comes down or if you want to put a new one you can't put a new one up using all the variances that we gave you, you'd have to conform to what the standards

are at that time.

MR. BEDETTI: Just to go along with that and I certainly if they decided that he wanted to reactivate the insurance agency they don't get another sign.

MR. KANE: They would have to come up in front of us for that in any case because automatically it's going to go over the square footage or it's going to be a second freestanding sign which they are not allowed to have.

MR. KRIEGER: You're not allowed if it's a different business, they are allowed, different business is allowed so they would be allowed.

MR. KANE: A face sign.

MR. KRIEGER: And they're allowed one facade and one freestanding sign per business. So if a second business went in there you wouldn't even see them, they would go assuming that those signs, the dimensions not the same as this applicant, has nothing to do with this applicant.

MR. KANE: That's true, they would be allowed.

MR. KRIEGER: They'd just go to the building inspector.

MR. KRIEGER: Did you ask him about motor vehicles just for the record?

MR. KANE: No. Does the sign in any way inhibit the view of any vehicles coming down Route 94?

MR. KLEIN: No.

MR. KANE: Does it inhibit the view of anybody exiting from your parking lot to 94?

MR. KLEIN: No.

MR. KANE: Okay.

MR. KRIEGER: An easements?

MR. KANE: And any easements running through the area where the sign was?

MR. KLEIN: No.

MR. KANE: I will accept a motion.

MR. SCHEIBLE: So just what he's looking for even though it's presently oversized?

MR. KANE: He's looking for a three foot six inch height, he's looking for three foot six inch height variance and 54 square foot face.

MR. SCHEIBLE: In other words, the entire from where it says open seven days from the height of the sign legally he's three foot over at that point?

MR. KANE: That's correct.

MR. SCHEIBLE: And the width.

MR. KANE: What the building department does with a sign like this so you know is there's that picture on it, they square this whole thing, they don't take the front of this individual face and add them together, they square that whole thing out and just simplify it that way. As I said with that we could add the stipulation that the variances go with the life of the existing signs as they are right now.

MR. KRIEGER: You would be on sounder ground if you limited it in time period, use variance only exists for ten years or something like that, if you estimate at this point where the reasonable life of the sign is and you attach a time variance outside of that reasonable time so you have a chance to amortize their costs or in this case is there sufficient amount of time to acquire to be successful enough to afford to put a new sign in.

MR. KANE: Ten years.

MR. SCHEIBLE: And no additional.

MR. KANE: No additional signage during that time.

MR. SCHEIBLE: On to the existing so after ten years hypothetical comes in I want to put another sign up there, used cars.

MR. KANE: If it's a new, correct, if it's a new business they are entitled to one freestanding sign. And if he moved out and somebody else came in that variance stays with the life of it so whoever's there

has ten years, at the end of ten years the variance goes away and they'd be back in front of us and if that sign after 27 years exists ten more years, God bless him.

MR. KRIEGER: Ten year clock starts now.

MR. SCHEIBLE: I'm shaking my head with that whole theory, I'm new here, don't get me wrong that whole theory that after ten years or if somebody additional comes in he can still put his own sign.

MR. KRIEGER: Wait a minute, you're right in terms of the proposed condition being ten years and a new business in addition to this business, not a successor business would be entitled to a sign, yes.

MR. SCHEIBLE: On this?

MR. KANE: Not on that sign, they are their own separate sign, we can't even rule on that has nothing to do with us.

MR. KRIEGER: Because if you were to grant a variance to this applicant, he would have no space to put a new sign because it would be outside the variance that you have given him so he couldn't even put a letter up there because it would be too much.

MR. BEDETTI: No, unless we put a pre-condition that says if a new tenant comes in he has to give him space.

MR. KRIEGER: You can't condition it that way and here's the problem. If they take an Article 78 to a Supreme Court, what the Supreme Court will do is leave the decision and just eliminate the condition so you don't want to put a condition in there that's like an appendix hanging out there.

MR. KANE: They have a legal right to their own freestanding sign and on the wall sign you can put us right in court putting something in like that.

MR. KLEIN: Can I just say something with the insurance space was, it's not like it's empty, we utilize that space, it's, I mean, and I couldn't even feasibly get rid of that space, it's space we need and occupy.

MR. BEDETTI: I understand. My question was is that a separate business, insurance business?

MR. KLEIN: It's not and hasn't been for many years and we consumed that space and physically I thought maybe you thought it was an empty space ready to go, it's a space that we occupy and utilize that space, we couldn't just say bring somebody in, we couldn't function in the space we're in if we did that.

MR. BEDETTI: You use that space as part of the pharmacy?

MR. KLEIN: Exactly, office, our files, there's a lot of stuff in there that physically has nowhere to go and physically we need on the premises.

MR. KRIEGER: Legally speaking the new property that you just acquired is that acquired by the same corporation that owns Medicine Chest?

MR. KLEIN: No.

MR. KRIEGER: It's a separate entity?

MR. KLEIN: Yes, separate entity.

MR. KRIEGER: So, in other words, what you're telling the board as a matter of convenience you use both legally they have separate standing?

MR. KLEIN: Correct.

MR. KRIEGER: So I don't know if the board members understand what I'm getting at, I see nods so I think so I won't offer an explanation when none is needed.

MR. KANE: Okay, any motion unless there are further questions?

MR. BEDETTI: I don't have anymore questions.

MR. KANE: I'll accept a motion with or without conditions as you see fit.

MR. BEDETTI: I will make a motion that we grant a variance to Medicine Chest Pharmacy for a height variance of three feet six inches and a total area all faces of 54 square feet for 408 Blooming Grove Turnpike in an NC zone.

MR. HAMEL: Second it.

ROLL CALL

| MR. | SCHEIBLE | AYE |
|-----|----------|-----|
| MR. | BEDETTI | NO |
| MR. | HAMEL | AYE |
| MR. | KANE | AYE |

MR. KANE: You're approved.

MR. KLEIN: Thank you.

 $\mbox{MR.}$ KANE: We have nothing else to vote on right now.

Next meeting is April 25. Motion to adjourn?

MR. BEDETTI: So moved.

MR. SCHEIBLE: Second it.

ROLL CALL

| MR. | SCHEIBLE | AYE |
|-----|----------|-----|
| MR. | BEDETTI | AYE |
| MR. | HAMEL | AYE |
| MR. | KANE | AYE |

Respectfully Submitted By:

Frances Roth Stenographer